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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,725	07/15/2004	Michael Gruhn	2002P02987WOUS	4372

7590 09/25/2007  
Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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CHARIOUI, MOHAMED

ART UNIT	PAPER NUMBER
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2857

MAIL DATE	DELIVERY MODE
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09/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/501,725	Applicant(s) GRUHN ET AL.	
	Examiner Mohamed Charioui	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 6-13, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-13, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. Applicant cancelled claims 1-5, 14 and 17.

### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 6-13, 15 and 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Reid et al. (U.S. 6,298,308).

**As per claims 6 and 12**, Reid et al. teach an acquisition unit remote from at least one of the stationary power stations for collecting measurement data detected by sensors in the power stations (see col. 2, lines 34-44 and col. 4, line 63 to col. 5, line 21); a diagnostics unit connected to the acquisition unit for classification of operating states of the power stations that are represented by the measurement data (see col. 9, line 44 to col. 10, line 10) a memory unit connected to the acquisition unit and the local diagnostics unit and the measurement data is centrally stored in the memory unit (see col. 5, lines 1-21); and a server unit connected to the memory unit that generates machine-readable data based on an HTML language (see col. 5, lines 59-65).

**As per claim 7**, Reid et al. further teach that portions of the machine-readable data are generated while a connection is established to the server unit of the

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diagnostics system by at least one client computer via a communications link by an Internet browser installed on the client computer and the parts of the machine-readable data are requested by the client computer (see col. 6, lines 15-30).

**As per claim 8**, Reid et al. further teach that the machine-readable data is transferred from the server unit to the client computer by the TCP/IP protocol via the communications link that includes an intranet and/or the Internet (see col. 5, lines 50-65 and col. 9, lines 25-43).

**As per claim 9**, Reid et al. further teach that a dynamic operating and/or monitoring interface of the diagnostics system is formed by the machine-readable data (see col. 6, lines 40-67).

**As per claims 10, 11, 13 and 16**, Reid et al. further teach that the machine-readable data comprise HTML pages that are stored as pre-prepared, static data in a memory unit of the diagnostics system and are generated dynamically by the server unit by combining a page generation code and at least part of the measurement data stored in the memory unit (see col. 6, lines 15-40).

**As per claim 15**, Reid et al. further teach that the measurement data from at least one of the power stations is transferred to the memory unit if there has been a change in an operating state of a power station concerned (see col. 6, lines 41-67 and col. 7, lines 1-22).

### ***Response to Arguments***

3. Applicant's arguments filed 6/27/07 have been fully considered but they are not persuasive.

Applicant argues that the acquisition and analysis units 16 of Reid et al. are local, not remote.

Examiner disagrees with the Applicant's argument because Reid et al. teach that the acquisition and analysis of data can be done remotely (see col. 7, lines 48-61 and Fig. 1) (location 34 is remote from site 12).

Applicant argues that Reid et al. do not teach HTML page generation.

Examiner disagrees with the Applicant's argument because Reid et al. teach requesting information from the local experts 16 in a web-based format (e.g. html files) (see col. 5, lines 60-65). The Examiner considers this to be HTML page generation.

#### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Prior art***

5. The prior art made record and not relied upon is considered pertinent to applicant's disclosure:

**Barrett et al. ['838]** disclose wireless test and measurement method.

**Sharma et al. ['833]** disclose method and apparatus for remote diagnosis for an ultrasound scanner.

***Contact information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Charioui whose telephone number is (571) 272-2213. The examiner can normally be reached Monday through Friday, from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on (571) 272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Mohamed Charioui

9/15/07

/Edward Raymond/

**EDWARD RAYMOND  
PRIMARY EXAMINER**